

Remarks

Claims 1-34 and 39-59 are pending in this application. Claims 34 and 39-59 are cancelled without prejudice. Accordingly, claims 1-33 are presented for examination.

35 U.S.C. 112 Rejections

Various claims are rejected under 35 U.S.C. 112, first and second paragraphs. Each rejection is addressed following.

Claims 1, 2, 23-31, 34, 39, 41-44, and 54 are rejected under 35 U.S.C. 112, second paragraph as being indefinite in regard to the term “physiologically functional derivative”. Applicants have amended the claims to delete this term thereby rendering the rejections moot.

Claims 1-35 and 39-59 are rejected under 35 U.S.C. 112, first paragraph as not being enabled in regard to the term “solvates”. Applicants have amended the claims to delete this term thereby rendering the rejections moot.


Claims 34 and 39-59 are rejected under 35 U.S.C. 112, first paragraph as not being enabled in regard to all disease states claimed. Applicants have cancelled these claims without prejudice thereby rendering the rejections moot.

Accordingly, Applicants assert that the rejections under Section 112 are mooted or overcome by amendment and request they be withdrawn.

CONCLUSION

The points and concerns of the Examiner having been addressed in full, Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. Should any issues remain unresolved in this application which would bar issuance the Examiner is invited to contact the undersigned Attorney at (919) 483-8247, to discuss such issues. Applicants believe that no fees are due in connection with the filing of this paper other than those specifically authorized herewith. However, should any other fees be deemed necessary to effect the timely filing of this paper the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

Respectfully submitted,


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